

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 50169/110

In re patent application of

Wallace T.Y. TANG

Group Art Unit: 2874

Con. of Ser. No. 08/401,229

Examiner: J. Lee

Filed: August 14, 1998

For: IN-SITU REAL-TIME MONITORING TECHNIQUE AND
APPARATUS FOR DETECTION OF THIN FILMS DURING
CHEMICAL/MECHANICAL POLISHING PLANARIZATION

PRELIMINARY REMARKS

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

During prosecution of the parent application (Serial No. 08/401,229), the Examiner concluded that certain claims needed to be placed into an interference with U.S. Patent No. 5,433,651 to Lustig et al. (Lustig '651), while other claims were separately patentable to the applicant without an interference. Accordingly, the Examiner agreed to permit applicant to file the present continuation application in order to separate the interfering claims from the claims that could be passed to issue without an interference. The interfering claims have been filed as part of the present application and will be canceled from the parent application in an amendment that will be filed shortly in the parent application. The claims remaining in the parent application will then be passed to issue without an interference, since they were found to be separately patentable relative to the Lustig '651 claims.

The correspondence between the instantly filed claims and the parent claims is as follows:

DEPT. OF COMMERCE - USPTO

Continuation of Serial No. 08/401,229

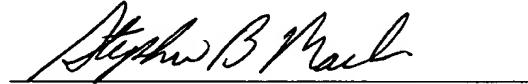
| <u>Parent claim #</u> | <u>Present claim #</u> |
|-----------------------|------------------------|
| 48-52 | 1-5 |
| 61-73 | 6-18 |
| 75 | 19 |
| 79-90 | 20-31 |

The present claims were transferred verbatim from the corresponding claims in the parent application (only the numbering is different).

Applicant respectfully requests that an interference be declared between the present claims and the claims of Lustig '651.

Respectfully submitted,

August 14, 1998
Date
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